



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 06, 2011

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

30 September 6, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**APPROVE COOPERATIVE AGREEMENT FOR
PALMDALE BOULEVARD AT 70TH STREET EAST
TRAFFIC SIGNAL INSTALLATION AND ROADWAY IMPROVEMENT PROJECT
CITY OF PALMDALE-COUNTY OF LOS ANGELES
UNINCORPORATED COMMUNITY OF SUN VILLAGE
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve a cooperative agreement between the City of Palmdale and the County of Los Angeles to provide financing and delegation of responsibilities for the installation of a traffic signal system and related road and drainage improvements at the intersection of Palmdale Boulevard and 70th Street East.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Acting as a responsible agency for the proposed project, consider the Negative Declaration prepared and adopted by the City of Palmdale as lead agency, certify that your Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Negative Declaration, and find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment.
2. Approve and instruct the Mayor of your Board to sign the cooperative agreement with the City of Palmdale to provide financing and delegation of responsibilities for the installation of traffic signals and related road and drainage improvements at the intersection of Palmdale Boulevard and 70th Street East. The cooperative agreement provides for the City of Palmdale to perform the preliminary

engineering and administer construction of the project with the City of Palmdale and the County of Los Angeles each financing 50 percent of the cost of the traffic signal system and their respective jurisdictional share of the road and drainage improvements. The total project cost is estimated to be \$950,000 with the County of Los Angeles' share being \$458,000.

3. Authorize the Director of Public Works or her designee to approve contingencies up to 10 percent of the County of Los Angeles' total contribution equal to \$45,800 for the cost of unforeseen items that may occur, thereby increasing the maximum County of Los Angeles contribution from \$458,000 to \$503,800.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to request your Board's approval of the enclosed cooperative agreement with the City of Palmdale (City) to finance the project and delegate responsibilities, including authorization for the City to perform the preliminary engineering and administer construction of the project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Community and Municipal Services (Goal 3). By installing a traffic signal system and improving the roadway at the intersection of Palmdale Boulevard and 70th Street East, the safety and quality of life of residents of the City and the unincorporated County of Los Angeles (County) who travel on these streets will be improved.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The total project cost is currently estimated to be \$950,000 with the City's share being \$492,000 and the County's share being \$458,000. Funding for the County's share, including the contingency of \$45,800 for unforeseen items, is included in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2011-12 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The City and the County have determined that the traffic conditions at the intersection of Palmdale Boulevard and 70th Street East warrant the installation of a new traffic signal system. This intersection is jurisdictionally shared between the City and the County. The cooperative agreement provides for the City and the County to each finance 50 percent of the cost of the traffic signal system and their respective jurisdictional shares of the signing and striping for the traffic signals. The cooperative agreement also provides for the City and the County to finance their respective jurisdictional shares of the roadway and drainage improvements. The total project cost is estimated at \$950,000 with the City's share as \$492,000 and the County's share as \$458,000. Under the terms of the cooperative agreement, the County's share cannot be increased without the County's prior written approval. As part of this approval, we are seeking authorization for a contingency of \$45,800 for unforeseen items that may occur during design and/or construction. Under the terms of the cooperative agreement, the City will prepare the plans and administer construction of the project. In addition, the City will maintain the traffic signal under the terms and conditions set forth in Traffic Signal Maintenance Agreement No. 75147 between the City and the County.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the project by the lead agency, the City of Palmdale, in compliance with the California Environmental Quality Act. The enclosed Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration was adopted by the City on January 13, 2011.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. The City has paid the fee. Upon your Board's finding that the project will not have a significant effect on the environment, the Department of Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing fees with the Registrar-Recorder/County Clerk in the amount of \$75.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The installation of the traffic signal system at this intersection will enhance the mobility of traffic and pedestrians in the area.

CONCLUSION

Please return one adopted copy of this letter and the cooperative agreement marked CITY ORIGINAL to the Department of Public Works, Programs Development Division. The cooperative agreement marked COUNTY ORIGINAL is for your files.

Respectfully submitted,



GAIL FARBER

Director

GF:JTW:dg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

AGREEMENT

THIS AGREEMENT, made and entered into by and between the CITY OF PALMDALE, a Charter City in the County of Los Angeles (hereinafter referred to as CITY), and the COUNTY OF LOS ANGELES, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, Palmdale Boulevard is on the Highway Element of CITY'S General Plan and shown on COUNTY'S Highway Plan; and

WHEREAS, CITY and COUNTY propose to install traffic signals at the intersection of Palmdale Boulevard and 70th Street East (which work is hereinafter referred to as TRAFFIC SIGNALS); install signing, striping, and pavement markings at the aforementioned intersection (which work is hereinafter referred to as SIGNING AND STRIPING); and construct roadway improvements consisting of pavement reconstruction, concrete curb, gutter, sidewalk, and drainage improvements (which work is hereinafter referred to as ROADWAY IMPROVEMENTS); and

WHEREAS, TRAFFIC SIGNALS, SIGNING AND STRIPING, and ROADWAY IMPROVEMENTS together are hereinafter referred to as PROJECT; and

WHEREAS, PROJECT is within the shared geographical boundaries of CITY and COUNTY; and

WHEREAS, PROJECT is of general interest to CITY and COUNTY; and

WHEREAS, CITY is willing to perform the preliminary engineering, construction inspection and engineering, materials testing, construction survey, and contract administration for PROJECT; and

WHEREAS, COST OF TRAFFIC SIGNALS combined with COST OF SIGNING AND STRIPING and COST OF ROADWAY IMPROVEMENTS (as defined on page 2 of this Agreement) is hereinafter referred to as COST OF PROJECT; and

WHEREAS, CITY and COUNTY are each willing to finance 50 percent of COST OF TRAFFIC SIGNALS; and

WHEREAS, CITY AND COUNTY are each willing to finance their respective shares of COST OF SIGNING AND STRIPING and of COST OF ROADWAY IMPROVEMENTS as described below in paragraph (4)b., and

WHEREAS, COST OF PROJECT is currently estimated to be Nine Hundred Fifty Thousand and 00/100 Dollars (\$950,000.00) with CITY'S share currently estimated to be Four Hundred Ninety-two Thousand and 00/100 Dollars (\$492,000.00) and

COUNTY'S share currently estimated to be Four Hundred Fifty-eight Thousand and 00/100 Dollars (\$458,000.00).

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

(1) DEFINITIONS:

- a. The term JURISDICTION as referred to in this AGREEMENT shall be defined as the area within the geographical boundary of each governmental entity mentioned in this AGREEMENT.
- b. COST OF TRAFFIC SIGNALS as referred to in this AGREEMENT shall consist of all costs incurred in connection with the completion of the TRAFFIC SIGNALS including, without limitation, the COST OF PRELIMINARY ENGINEERING, construction contract, contract administration, construction inspection and engineering, utility relocation, and traffic detour work performed by CITY and all other work necessary to construct TRAFFIC SIGNALS in accordance with the approved plans and shall include any and all currently effective percentages added to total salaries, wages, and equipment costs to cover overhead, administration, and depreciation in connection with any or all of the aforementioned items.
- c. COST OF SIGNING AND STRIPING as referred to in this AGREEMENT shall consist of all costs incurred in connection with the completion of the SIGNING AND STRIPING including, without limitation, the COST OF PRELIMINARY ENGINEERING, construction contract, contract administration, construction engineering and inspection, final striping, striping and marking, and all other work necessary to complete SIGNING AND STRIPING in accordance with approved plans and shall include any and all currently effective percentages added to total salaries, wages, and equipment costs to cover overhead, administration, and depreciation in connection with any and all of the aforementioned items.
- d. COST OF ROADWAY IMPROVEMENTS as referred to in this AGREEMENT shall consist of all costs incurred in connection with completion of the ROADWAY IMPROVEMENTS including, without limitation, the COST OF PRELIMINARY ENGINEERING, construction contract, contract administration, construction inspection and engineering, materials testing, required materials, construction survey, utility relocation, traffic detour, and all other work necessary to construct ROADWAY IMPROVEMENTS in accordance with approved plans and shall include any and all currently effective percentages added to total salaries, wages, and equipment costs to cover overhead, administration, and depreciation in connection with any and all of the aforementioned items.

- e. The COST OF PRELIMINARY ENGINEERING as referred to in this AGREEMENT shall consist of all costs incurred in connection with completion of preliminary engineering including, without limitation, the costs of environmental documentation; design survey, soils report, traffic index, and geometric investigation; preparation of plans, specifications, and cost estimates; right-of-way certification; utility engineering; and all other necessary work prior to advertising of PROJECT for construction bids and shall include any and all currently effective percentages added to total salaries, wages, and equipment costs to cover overhead, administration, and depreciation in connection with any and all of the aforementioned items.
- f. COST OF PROJECT as referred to in this AGREEMENT shall mean the sum of COST OF TRAFFIC SIGNALS, COST OF SIGNING AND STRIPING, and COST OF ROADWAY IMPROVEMENTS.
- g. The COST OF CONSTRUCTION CONTRACT as referred to in this AGREEMENT shall consist of the total of all payments to the contractor for PROJECT and payments to utility companies or contractors for the relocation of facilities necessary for the construction of PROJECT.

(2) CITY AGREES:

- a. To perform the preliminary engineering, construction inspection and engineering, materials testing, construction survey, and contract administration for PROJECT.
- b. To finance 50 percent of COST OF TRAFFIC SIGNALS; the CITY'S share of COST OF SIGNING AND STRIPING, and of COST OF ROADWAY IMPROVEMENTS, the amounts of which are to be determined by a final accounting pursuant to paragraph (4)b., below.
- c. Before advertising for construction bids, to obtain COUNTY'S approval of plans, specifications, and cost estimate and to apply for and obtain from COUNTY'S Department of Public Works all necessary permits authorizing CITY to construct those portions of PROJECT within COUNTY highway right of way.
- d. To advertise PROJECT for construction bids and to award and administer the construction contract for the PROJECT.
- e. To obtain COUNTY approval of construction contract amount prior to entering into the construction contract for PROJECT subject to paragraph (3)d., below.

- f. To negotiate with and, where appropriate, issue notices to public utility organizations and owners of substructure and overhead facilities regarding the relocation, removal, operation, and maintenance of all surface and underground utilities and facilities, structures, and transportation services that interfere with the proposed construction. Where utilities have been installed in CITY streets or on CITY property, CITY will provide the necessary right of way for the relocation of those utilities and facilities that interfere with the construction of PROJECT. CITY will take all necessary steps to grant, transfer, or assign all prior rights over to the utility companies and owners of substructure and overhead facilities when necessary to construct, complete, and maintain PROJECT.
- g. To ensure that COUNTY and all officers, agents, and employees of COUNTY are named as additional insured parties under the construction contractor(s') Contractor General Liability and automobile insurance policies.
- h. To furnish COUNTY, within sixty (60) calendar days after final acceptance of PROJECT a final accounting invoice reflecting the actual total COST OF PROJECT, including an itemization of actual unit costs and actual contract quantities. The Parties acknowledge that the COUNTY'S jurisdictional share is limited to a maximum amount of Four Hundred Fifty-eight Thousand and 00/100 dollars (\$458,000.00) unless COUNTY has increased said limit with prior written approval, based on revised cost estimates, which preapproval may be granted at COUNTY'S sole and absolute discretion.
- i. Upon completion of PROJECT, to maintain in good condition and at CITY expense all ROADWAY IMPROVEMENTS constructed as part of PROJECT within CITY'S JURISDICTION.

(3) COUNTY AGREES:

- a. To review and approve the plans, specifications, and cost estimate prepared by CITY for PROJECT prior to advertising PROJECT for construction bids.
- b. To finance 50 percent of COST OF TRAFFIC SIGNALS; the COUNTY'S share of COST OF SIGNING AND STRIPING, and of COST OF ROADWAY IMPROVEMENTS, the amounts of which are to be determined by a final accounting pursuant to paragraph (4)b., below.
- c. To deposit with CITY, following the opening of construction bids for PROJECT and upon demand by CITY, sufficient COUNTY funds to finance 50 percent of COST OF TRAFFIC SIGNALS; and COUNTY'S share of COST OF SIGNING AND STRIPING, and of COST OF

ROADWAY IMPROVEMENTS, currently estimated to be Four Hundred Fifty-eight Thousand and 00/100 Dollars (\$458,000.00). Said demand will consist of a billing invoice prepared by CITY.

- d. To review the construction contract bids for PROJECT and provide written approval or other response within twenty (20) calendar days of presentation by CITY. COUNTY'S approval may only be withheld for good reason and in good faith. If COUNTY'S response is not sent within said twenty (20) calendar days, CITY may proceed with PROJECT.
- e. To appoint CITY as COUNTY'S attorney-in-fact for the sole purpose of representing COUNTY in all negotiations pertaining to the advertisement of PROJECT for construction bids, award, and administration of the construction contract and in all things necessary and proper to complete PROJECT.
- f. Upon receipt of application from CITY and approval of construction plans for PROJECT, to issue CITY a no-fee permit(s) authorizing CITY to construct those portions of PROJECT within COUNTY highway right of way and to construct those facilities that are to be maintained by COUNTY.
- g. Upon completion of PROJECT, to maintain in good condition and at COUNTY expense all ROADWAY IMPROVEMENTS constructed as part of PROJECT within COUNTY'S JURISDICTION.

(4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. Upon completion of PROJECT, all traffic signal improvements constructed as part of PROJECT within COUNTY will be maintained by CITY under the terms and conditions set forth in Traffic Signal Maintenance Agreement No. 75147 between the CITY and COUNTY.
- b. The final accounting of the actual total COST OF PROJECT shall allocate the COST OF SIGNING AND STRIPING and COST OF ROADWAY IMPROVEMENTS between CITY and COUNTY based on the location of the improvements and/or work done. Thus, the cost of all work for SIGNING AND STRIPING and ROADWAY IMPROVEMENTS (including all engineering, administration, and all other costs incidental to the work or improvement) located within COUNTY'S JURISDICTION shall be borne by COUNTY. Such costs constitute COST OF SIGNING AND STRIPING and COST OF ROADWAY IMPROVEMENTS within COUNTY'S JURISDICTION. The cost of all work for SIGNING AND STRIPING and ROADWAY IMPROVEMENTS (including all engineering, administration, and all other costs incidental to the work or improvement) located within

CITY'S JURISDICTION shall be borne by CITY. Such costs constitute COST OF SIGNING AND STRIPING and COST OF ROADWAY IMPROVEMENTS within CITY'S JURISDICTION.

- c. COUNTY shall review the final accounting invoice prepared by CITY under Section (2)h., above, and pay to CITY any undisputed charges within thirty (30) calendar days after receipt of said invoice. COUNTY shall report to CITY in writing any amounts disputed by COUNTY within thirty (30) calendar days after the date of said invoice. CITY shall review all disputed charges and submit a written justification to COUNTY detailing the basis for those charges within thirty (30) calendar days of notice of disputed charges from COUNTY. COUNTY shall then either make payment of any previously disputed charges based on the CITY'S justification or submit a determination explaining the basis for nonpayment of any amounts within thirty (30) calendar days after the date of receipt of CITY'S written justification in which instance COUNTY'S determination shall control. Notwithstanding the foregoing, COUNTY'S payment of undisputed charges and/or previously disputed charges in all cases remains subject to the limitations stated in paragraph (2)h., above.
- d. If, following the procedure outlined in the preceding Section (4)c., above, the undisputed portion of the County's share of the COST OF PROJECT, based upon a final accounting, is less than Four Hundred Fifty-eight Thousand and 00/100 Dollars (\$458,000.00), CITY shall immediately refund the difference to COUNTY within sixty (60) calendar days of COUNTY'S claim.
- e. During construction of PROJECT, CITY shall furnish an inspector or other representative to perform the functions of an inspector. COUNTY may also furnish, at its discretion and at no cost to CITY, an inspector or other representative to inspect construction of PROJECT. COUNTY has no obligation to inspect construction of PROJECT and CITY will indemnify and defend COUNTY relating to any liability resulting from inspection of PROJECT. Said inspectors shall cooperate and consult with each other, but the orders of CITY inspector to the contractor or any other person in charge of construction shall prevail and be final and CITY inspector ultimately shall be responsible for proper inspection of PROJECT.
- f. This AGREEMENT may be amended or modified only by mutual written consent of CITY and COUNTY.

- g. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY: Mr. Michael Mischel
Director of Public Works
City of Palmdale
38300 North Sierra Highway
Palmdale, CA 93550-4798

COUNTY: Ms. Gail Farber
Director of Public Works
County of Los Angeles
Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

- h. It is understood and agreed that the provisions of Assumption of Liability Agreement No. 32073 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect, are inapplicable to this AGREEMENT.
- i. Neither COUNTY nor any officer, agent, or employee of COUNTY shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of CITY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of CITY under this AGREEMENT. It is also understood and agreed that, pursuant to Government Code, Section 895.4, CITY shall fully indemnify, defend, and hold COUNTY harmless from any liability imposed for injury (as defined by Government Code, Section 810.8) occurring by reason of any acts or omissions on the part of CITY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of CITY under this AGREEMENT. By providing for indemnification by and among the parties hereto, it is expressly understood and agreed that the provisions of California Government Code Sections 895.2 and 895.6 are not applicable to this Agreement. The provisions of California Civil Code Section 2778 regarding interpretation of indemnity agreements are made a part hereof as if fully set forth herein.
- j. Neither CITY nor any officer, agent or employee of CITY shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT. It is also understood and agreed that, pursuant to Government Code, Section 895.4, COUNTY shall fully indemnify, defend, and hold CITY harmless from any liability imposed for injury (as defined by Government Code, Section 810.8) occurring by

reason of any acts or omissions on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT.

- k. CITY agrees to release, defend, indemnify, and hold harmless the COUNTY in connection with all claims, damages (including, without limitation special and consequential damages), including punitive damages, injuries, costs, response costs, losses, demands, debts, liens, liabilities, causes of action, suits, legal and administrative proceedings, interest, fines, charges, penalties and expenses (including without limitation attorneys', engineers', consultants', and expert witness fees and costs) of any kind whatsoever paid, incurred, or suffered by or asserted against the COUNTY, directly, or indirectly arising from or attributable to the presence or alleged presence, transport, arrangement or release of any hazardous materials, chemicals or contaminants present at or stemming from the PROJECT, including under the Comprehensive Environmental, Response, Compensation and Liability Act of 1980 (CERCLA) and under the California Health and Safety Code. In addition to being an agreement enforceable under the laws of the State of California, the foregoing indemnity is intended by the parties to be an agreement pursuant to 42 U.S.C. Section 9607(e), Section 107(e) of the amended CERCLA, and California Health and Safety Code Section 25364. The CITY expressly waives any rights under Section 1542 of the California Civil Code, which provides that " A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR."
- l. Each party to this AGREEMENT shall do all things and execute and deliver all instructions and documents necessary to fulfill and effect the provisions of this AGREEMENT and protect the respective rights of the parties to this AGREEMENT.
- m. This AGREEMENT contains the entire and complete understanding between the parties regarding the PROJECT and the subject matter hereof. Any prior or contemporaneous agreements, promises, negotiations, or representations, either oral or written, relating to the PROJECT not expressly set forth here are hereby superseded and of no force or effect.
- n. Should any of the provisions of this AGREEMENT be determined to be invalid by a court or government agency of competent jurisdiction, such determination shall not affect the enforceability of other provisions herein.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the CITY OF PALMDALE on November 3, 2010, and by the COUNTY OF LOS ANGELES on September 6, 2011.

COUNTY OF LOS ANGELES

By Mike Antonovich
Mayor, County of Los Angeles

ATTEST:

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Cn Tol
Deputy



I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By Cn Tol
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By Andrea Sheridan Ordin
Deputy

CITY OF PALMDALE

By [Signature]
Mayor

ATTEST:

By [Signature]
City Clerk

APPROVED AS TO FORM:

By [Signature]
City Attorney

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

30 SEP 6 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

CITY OF PALMDALE
NEGATIVE DECLARATION

38250 Sierra Highway
Palmdale, California 93550

Case Number: Property acquisition, acquisition of temporary construction easements, and street improvements for the intersection of 70th Street East and Palmdale Boulevard

Applicant: City of Palmdale Public Works Department

Address: 38250 Sierra Highway
Palmdale, CA 93550

Project Description: Acquisition of 35,832 square feet of road easements and temporary construction easements of 2,000 square feet by the City of Palmdale Public Works Department for right-of-way improvements and the signalization of the intersection

Project Location: Intersection of 70th Street East and Palmdale Boulevard

On the basis of the Initial Study prepared for the project it has been determined that the project would not have a potential for a significant effect on the environment. A copy of said Initial Study is available for review at the Palmdale Planning Department, 38250 Sierra Highway, Palmdale, California 93550. This document constitutes a Negative Declaration.

RESPONSIBLE AGENCIES: None

TRUSTEE AGENCIES: None

Notice Pursuant to Section 21092.5 of the Public Resources Code:

A Public Hearing will be held by the Planning Commission of the City of Palmdale in the Palmdale Council Chamber, 38300 Sierra Highway, Suite B, Palmdale, California on January 13, 2011, at 7:00 p.m. to consider this project. At that time, any interested person is welcome to attend and be heard on this matter.

Prior to the Public Hearing, the public is invited to submit written comments on this Negative Declaration to the Palmdale Planning Department, Attention: Susan Koleda,

Notice of Determination

Property Acquisition and Street Improvements for 70th Street East and Palmdale Blvd

December 22, 2010

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38250 Sierra Highway, Palmdale, California 93550; or phone (661) 267-5200. Please refer to the Case Number listed above.



Richard Kite
Planning Manager

Date

CITY OF PALMDALE
OFFICE OF THE
PLANNING DEPARTMENT

M E M O R A N D U M

TO: All Interested Parties

FROM: Planning Department

SUBJECT: REQUEST FOR REVIEW OF THE DRAFT NEGATIVE DECLARATION FOR PROPERTY ACQUISITION OF 35,832 SQUARE FEET OF ROAD EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS OF 2,000 SQUARE FEET BY THE CITY OF PALMDALE PUBLIC WORKS DEPARTMENT FOR RIGHT-OF-WAY IMPROVEMENTS AND THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF 70TH STREET EAST AND PALMDALE BOULEVARD

DATE: December 22, 2010

The attached Negative Declaration has been forwarded to you for review and comment. Comments will be received by the Planning Department until 5:00 p.m. on January 13, 2011. Comments should be directed to: Susan Koleda, City of Palmdale Planning Department, 38250 Sierra Highway, Palmdale, California 93550 or telephone (661) 267-5200.

City of Palmdale:

Case Planner
City Engineer
City Hall Counter Copy
Director of Public Works
Library
Planning Counter Copy
Traffic Engineer

County of Los Angeles:

Los Angeles County Dept. of Public Works (4 copies)
Los Angeles County Regional Planning
Los Angeles County Sheriff's Dept.

School Districts:

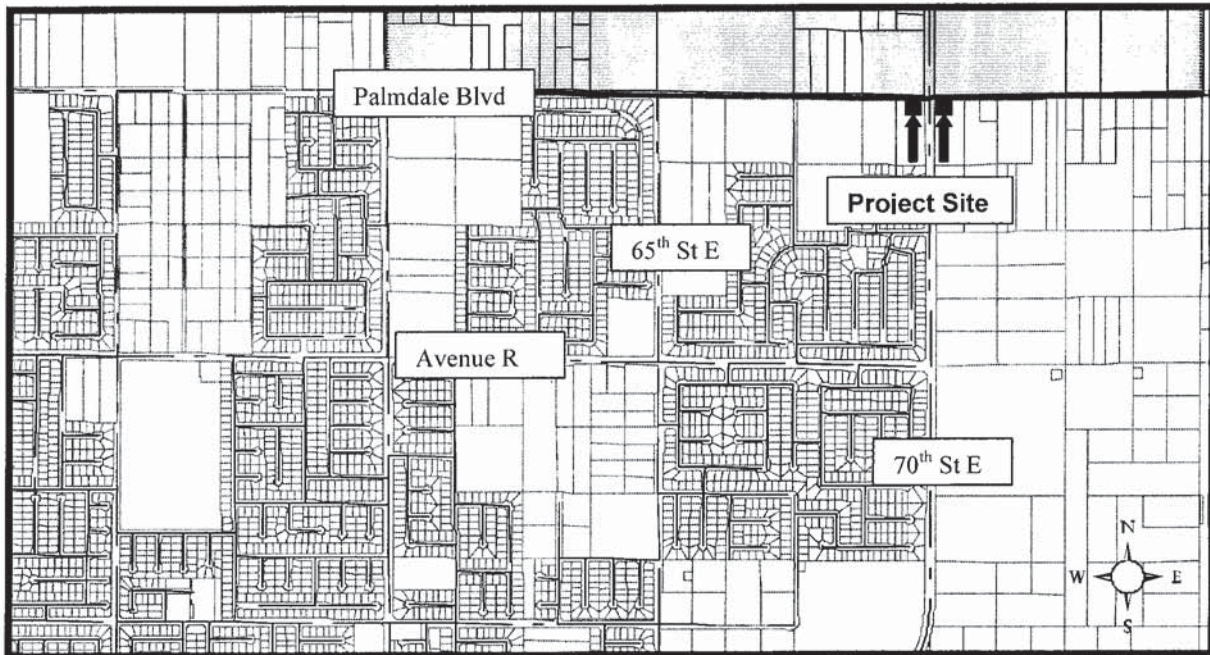
Antelope Valley Union High School District
Palmdale School District

CITY OF PALMDALE
PLANNING DEPARTMENT
INITIAL STUDY
QUESTIONNAIRE

APPLICATION NO:	Property acquisition, acquisition of temporary construction easements, and street improvements for the intersection of 70 th Street East and Palmdale Boulevard
NAME OF APPLICANT:	City of Palmdale
LOCATION OF PROJECT:	All corner of the intersection of 70 th Street East and Palmdale Boulevard
APN:	3024-004-040, 3024-006-004 and existing right-of-way adjacent to 3024-003-273 and 3024-005-281
EXISTING GENERAL PLAN LAND USE DESIGNATION:	NC (Neighborhood Commercial) and existing right-of-way
EXISTING ZONING:	C-1 (Light Commercial) and existing right-of-way
PRESENT LAND USE:	Vacant land

INITIAL STUDY
Property Acquisition and Improvements
for 70th Street East and Palmdale Boulevard
Page 2

LOCATION MAP:



INITIAL STUDY
Property Acquisition and Improvements
for 70th Street East and Palmdale Boulevard
Page 2

I. APPLICABILITY OF THE INITIAL STUDY

- A. Is the proposed action a "project" as defined by CEQA?
☒ Yes ☐ No

1. If the project qualifies for one of the Categorical Exemptions listed in Section 6.C. of the City's CEQA Guidelines, is there a reasonable possibility that the activity will have a significant effect due to special circumstances? ☐ Yes ☐ No ☒ N/A

II. INITIAL STUDY REVIEW

- A. Does the project require a 30-day State Clearinghouse review?
☐ Yes ☒ No

III. PROJECT ASSESSMENT

- A. Project Description: Acquisition of 35,832 square feet of road easements, temporary construction easements of 2,000 square feet to facilitate construction, and street improvements including the signalization of the intersection of 70th Street East and Palmdale Boulevard by the City of Palmdale Public Works Department. The north half of the intersection of 70th Street East and Palmdale Boulevard is located within unincorporated Los Angeles County, the south half within the City of Palmdale. Proposed improvements includes street grading and paving, installation of curb ramps, and intersection signalization. All construction on the north half of the intersection will be located within existing right-of-way and no acquisition of road easements or temporary construction easements is required.
- B. Description of the Project Site: The properties that are the subject of acquisition are located on the south side of Palmdale Boulevard, immediately east and west of 70th Street East. The sites contain minimal desert vegetation and has been impacted by traffic and maintenance activities associated with Palmdale Boulevard and 70th Street East. All improvements on the north side of Palmdale Boulevard will be located within existing right-of-way which is either paved or vacant and graded land located adjacent to the pavement.

INITIAL STUDY
Property Acquisition and Improvements
for 70th Street East and Palmdale Boulevard
Page 3

C. Surrounding Land Uses:

North: Vacant land
East: Vacant land
South: Vacant land
West: Vacant land

D. Is the proposed project consistent with:

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
City of Palmdale General Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Applicable Specific Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
City of Palmdale Zoning Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Quality Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Congestion Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Regional Comprehensive Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E. Have any of the following studies been submitted?

- | | |
|-----------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Geology Report | <input type="checkbox"/> Historical Report |
| <input type="checkbox"/> Hydrology Report | <input type="checkbox"/> Archaeological Report |
| <input type="checkbox"/> Soils Report | <input type="checkbox"/> Paleontological Study |
| <input type="checkbox"/> Traffic Study | <input type="checkbox"/> Line of Sight Exhibits |
| <input type="checkbox"/> Noise Study | <input type="checkbox"/> Visual Analysis |
| <input type="checkbox"/> Biological Study | <input type="checkbox"/> Slope Map |
| <input type="checkbox"/> Native Vegetation | <input type="checkbox"/> Fiscal Impact Analysis |
| <input type="checkbox"/> Preservation Plan | <input type="checkbox"/> Air Quality Report |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Hazardous Materials/ |
| <input type="checkbox"/> Generation Report | Waste |
| <input type="checkbox"/> Public Services/ Infrastructure Report | |

(Studies may be reviewed by contacting the case planner at (661) 267-5200.)

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IV. DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

This initial study was prepared by:

Susan Koleda

12/22/10
Date

12/24/10
Date

Susan Koleda
Susan Koleda
Senior Planner

Richard Kite
Richard Kite
Planning Manager

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V. EARLIER ANALYSIS

City of Palmdale General Plan FEIR 91-3, (SCH No. 87120908) prepared for the City of Palmdale by Michael Brandman Associates, and certified by the Palmdale City Council (Resolution No. 93-10) on January 25, 1993. EIR 91-3 was prepared to analyze the potential impacts from full build out of the City's General Plan, including the provision of roadways, infrastructure and development of urban uses.

This EIR identified significant impacts to air quality, loss of open space, seismic related risks, biological resources, jobs/housing balance, traffic impacts at 11 roadway links and cumulative impacts to groundwater resources that would occur with implementation of the City's General Plan. All other impacts were found to be mitigatable to a level of insignificance through the mitigation measures imposed under the EIR and implementation measures contained within the General Plan. Despite these impacts, the General Plan represents a balance in the community for the protection of the environment and accommodation of growth pressures in the area.

Improvements analyzed in the General Plan FEIR include construction of full street improvements contained in the City's Circulation Plan, bikeways, trails and parks as shown in the City's Parks, Recreation and Trails Element, building out the planning area in accordance with the City's Land Use Element, and the provision of public services to promote public health, safety, and welfare. Mitigation measures identified in the FEIR will reduce most of the impacts of future development under the proposed plan to a less than significant level. The majority of the policies and implementation programs in the General Plan serve as mitigation measures for the potential environmental impacts of build out under the plan. The EIR is available for review at the City of Palmdale Planning Department.

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VI. EVALUATION OF ENVIRONMENTAL IMPACTS

The proposed project includes property acquisition of road easements and temporary construction easements for the future installation of right-of-way improvements and the installation of traffic signals at the intersection of 70th Street East and Palmdale Boulevard. The proposed project will not impact Water, Light or Glare, Risk of Upset, Population, Housing, Aesthetics and only requires that potential impacts to Earth, Air, Plant Life, Animal Life, Noise, Land Use, Natural Resources, Transportation/Circulation, Public Services, Energy, Utilities, Human Health, Cultural Resources and Public Controversy to be evaluated.

A. Earth:

Based on the geotechnical or soils study for the project, review by the City's Engineering Department, and/or the General Plan Update:

1. Soils

- a. Are there any areas of potential differential settlement on the project site which could significantly impact development of the proposed project?

☐ ☐ ☒ ☐

- b. Is the site in an area of high shrink/swell (hydrocompaction) potential which could significantly impact development of the proposed project?

☐ ☐ ☒ ☐

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------|--------------------------|
| c. Is the site in an area of potential subsidence? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Will the project result in a significant increase in wind or water erosion of soils, either on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Could the project result in siltation deposition, or erosion which may modify a stream channel, or adversely affect downstream flood control facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The project sites are identified as having low soil expansion potential, none to slight soil erosion potential, high soil infiltration capabilities, and low to moderate subsidence potential according to Exhibits S-10, S-11, S-12 and S-14 of the Palmdale General Plan. The use of standard City requirements for grading and street improvement plans will ensure that impacts from soils will be reduced to a level of insignificance. Therefore, the proposed project will not have a significant impact due to erosion, shrink/swell potential, subsidence or differential settlement.

2. Earthquakes

Based on the Alquist-Priolo Earthquake Fault Zoning Map (as amended 1994) and California Division of Mines and Geology Special Publication 42 (1997), or the geotechnical report for the project site:

- a. Is the site in a fault rupture hazard zone? ☐ Yes ☒ No

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If yes:

- i. Is there an active or potentially active fault on the project site? ☐ Yes ☐ No
- ii. Does the project include a school, emergency or public facility, day care center, nursing home, or high rise building? ☐ Yes ☐ No
- b. Is the site in a zone subject to seismic ground shaking, ground failure, or liquefaction?

☐ ☐ ☒ ☐

Review of the Alquist-Priolo Special Studies Zone Act Maps/Fault-Rupture Hazard Zones determined that the project area is not within a fault rupture hazard zone. The historical groundwater level in the general vicinity of the site is expected to be in excess of 100 feet deep according to Exhibit ER-4 of the City's General Plan. The project site is not identified as being subject to liquefaction as shown in the Seismic Hazard Zones Map dated October 17, 2003, for the Palmdale Quadrangle.

The project site is located in Seismic Shaking Zone 1 as shown on General Plan Exhibit S-3 and is subject to seismic ground shaking and failure. Standard construction techniques will ensure that impacts are less than significant.

3. Slopes

Based on the U.S.G.S. Topographic Map, the slope map submitted for the project, the geotechnical report for the project, and/or a site inspection:

- a. Does the project site contain slopes of 10% or greater?

☐ ☐ ☐ ☒

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b. Is any significant modification of major landforms proposed?

☐ ☐ ☐ ☒

c. Is the project in an area of landslide risk, or are landslides present on the project site?

☐ ☐ ☐ ☒

d. Will project grading create slopes, on- or off-site, that could be subject to landslides, mud slides, or erosion?

☐ ☐ ☒ ☐

The project site contains no major landforms or areas with landslide potential and is relatively flat with a downslope of approximately one percent or less trending in a northerly direction. Therefore, there is no potential for a significant adverse effect due to intrusion into slopes over ten percent, major landform modification, landslides or project grading.

4. Quarry Zone

Based on a site inspection, the City's General Plan Land Use Map, and/or the Significant Gravel Resource Area Maps of the State Department of Mines and Geology:

a. Would development of the project impede the extraction of significant mineral resource deposits?

☐ ☐ ☐ ☒

The sites are located approximately one mile west of an area designated as a Significant Mineral Resource Zone and is not located within an area containing significant mineral resources according to the State of

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California Division of Mines and Geology map. Therefore, this does not constitute the potential for a significant impact.

B. Air:

Based on the criteria in the South Coast Air Quality Management Handbook for the Preparation of EIRs (1987), the Air Quality Study prepared for the proposed project, the South Coast Air Quality Management Plan, and EIR (1991), and/or the land use proposed:

1. Emissions

- a. Will the project result in significant air emissions or deterioration of ambient air quality either from stationary or mobile sources?

☐ ☐ ☒ ☐

- b. Could the proposed project produce potentially toxic air emissions?

☐ ☐ ☒ ☐

- c. Will the project potentially result in the creation of objectionable odors?

☐ ☐ ☒ ☐

- d. Could the project result in the alteration of air movement, moisture or temperature, or any change in climate either locally or regionally?

☐ ☐ ☒ ☐

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Development of the project site will generate temporary mobile source and particulate emissions resulting from construction activity. These impacts are temporary in nature and standard measures for dust control during construction, required by the Department of Public Works, will mitigate the construction impacts on air quality. Therefore, they are not considered to be significant.

C. Plant Life:

Based on a site inspection, the biological report, and/or the Native Vegetation Preservation Plan submitted for the project:

1. Is there a significant stand of desert vegetation on the site which will be adversely impacted by the project?

☐ ☐ ☒ ☐

2. Will the project result in a reduction of the numbers of any unique, rare, or endangered species of plants?

☐ ☐ ☐ ☒

3. Will the project result in the introduction of invasive, non-native species of plants into an area; or will the project create a barrier to the normal replenishment of existing native plant species?

☐ ☐ ☒ ☐

4. Will the project result in a significant reduction in acreage of native vegetation?

☐ ☐ ☒ ☐

The right-of-way on the north side of Palmdale Boulevard contains no native vegetation, as it is located within the maintained area of Palmdale

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Boulevard and 70th Street East. The parcels on the south side of Palmdale Boulevard currently contain minimal native vegetation and have been heavily disturbed. One Joshua tree is located within the proposed road easement and temporary construction easement on the southeast corner of the intersection. However, the quality of the tree is such that the loss of the tree would not be considered a significant impact. Additionally, the Director of Public Works has issued an exemption under Section 14.04.090 of the Palmdale Municipal Code from the City's Native Desert Vegetation Preservation Ordinance for removal of the tree. Therefore, there will be no significant impact to plant life.

D. Animal Life:

Based on the biology report submitted for the project and/or a site inspection: Will the proposal result in:

1. Will the project result in a significant loss of biological diversity?

☐ ☐ ☒ ☐

2. Will the project result in the reduction of the numbers of any unique, rare, or endangered species of animals?

☐ ☐ ☒ ☐

3. Is the project located in a Significant Ecological Area where the introduction of animals associated with urbanization could adversely affect native species; or where the project will result in a barrier to the migration or movement of animals?

☐ ☐ ☐ ☒

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4. Will the project cause significant deterioration of, or loss of, existing fish or wildlife habitat?

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The project will result in the acquisition of approximately 35,832 square feet for road easements and temporary construction easements of 2,000 square feet immediately adjacent to the existing right-of-way on the southeast and southwest corners of 70th Street East and Palmdale Boulevard. The subject properties have been significantly degraded due to the construction of the adjacent right-of-way, vehicular traffic and road maintenance activities. There are no known unique, rare, or endangered species of animals on the sites, the biological value of the sites is minimal, and the sites are not located within a Significant Ecological Area. The area to be acquired is generally devoid of any native vegetation and will therefore not result in a significant deterioration of, or loss of, existing fish or wildlife habitat.

E. Noise:

1. If the project is residential or noise sensitive, will it expose people to severe noise levels because it is located:

- a. adjacent to the Freeway?

☐
☐
☐
☒

- b. within 200 feet of the railroad?

☐
☐
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- c. adjacent to an existing or future arterial street?

☐
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The project sites are directly adjacent to 70th Street East and Palmdale Boulevard, both of which are designated major arterials within the Circulation Element of the City's General Plan. The acquisition of right-of-way, construction of improvements, and signalization of the intersection will not result in a significant exposure to severe noise levels. People utilizing the roadways may be exposed to noise associated with construction, but this would be for a limited period of time on an intermittent basis, and any noise exposure would not be considered significant.

2. Is the proposed project within the Plant 42 over-flight area, or the 65 CNEL boundary?

☐ ☐ ☒ ☐

The subject site is not located within the U.S. Air Force Plant 42 over-flight area. People utilizing 70th Street East and Palmdale Boulevard within the vicinity of the sites may be subject to noise levels in excess of 65 CNEL; however, as stated above, they will do so for a limited period of time on an intermittent basis, and any noise exposure would not be considered significant. There are no residential properties within close proximity to the site that would be potentially impacted by noise related to the project.

3. Will the project generate a noise level exceeding 65 CNEL at the project boundary after construction that could significantly impact an adjoining land use?

☐ ☐ ☒ ☐

The project will not generate a noise level exceeding 65 CNEL at the project boundary after construction. During construction, noise generating construction activities would be restricted on a daily basis in accordance with the City's requirements contained within the Municipal Code; 6:30 am to 8:00 pm Monday through Saturday. Given the common use of construction equipment, the finite time period associated with grading and

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construction activities, noise associated with construction is considered a short-term nuisance but not a significant adverse impact.

F. Land Use:

1. Will the project result in a substantial alteration of the present or planned land use of an area?

☐ ☐ ☒ ☐

2. Are adjoining or planned land uses greatly different from that of the proposed project so that a potentially substantial interface problem would be created?

☐ ☐ ☒ ☐

3. If the project is located within the Plant 42 AICUZ zone, does it conflict with the joint land use policies established for those zones?

☐ ☐ ☒ ☐

The property to be acquired, located on the southeast and southwest corner of the intersection of 70th Street East and Palmdale Boulevard, are zoned C-1 (Light Commercial). The project will entail the acquisition of road easements and the construction of right-of-way improvements, including signalization of the intersection. At some point in the future, when the remainder of each of the sites develop, the City would require the dedication and construction of right-of-way, including any necessary upgrades to the proposed traffic signals, curb, gutter and sidewalk. Therefore, the proposed project will not result in a substantial alteration of the present or planned land use of the area and will not cause a substantial interface issue with adjacent uses.

The subject parcels are no located within the Plant 42 Air Installation Compatible Use Zone (AICUZ).

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G. Natural Resources:

1. Will the project result in a significant increase in the rate of use of any natural resources?

☐ ☐ ☒ ☐

2. Will the project result in the substantial depletion of any non-renewable natural resources?

☐ ☐ ☒ ☐

The proposed project will not engage in any direct activities designed to deplete natural resources. The construction of the improvements will require the use of stone, sand, gravel, wood, metals and combinations of these and similar natural materials (resources) in their construction. The harvesting/mining of such resources has been approved through other agencies and the resulting products are available to the applicant for construction of this project. The amount of resources to be used is relatively insignificant. Therefore, development of the project site would not result in adverse impacts to the environment due to a significant depletion of natural resources.

H. Transportation/Circulation:

Based on review of the type of project, project exhibits, a site inspection, and/or review of the Institute of Transportation Engineers, Trip Generation or the applicant's traffic study:

1. What is the estimated number of average daily vehicle trips, and a.m. and p.m. peak hour trips, generated by the proposed project?

N/A ADT: N/A a.m. peak, N/A p.m. peak

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2. Will the traffic generated by this project cause a reduction of Level of Service at an intersection or on a street segment?

☐ ☐ ☒ ☐

The project would change the existing intersection at 70th Street East and Palmdale Boulevard from a two-way stop to a signalized intersection. The project is likely to improve the flow of traffic and increase safety for vehicular traffic on 70th Street East as it crosses Palmdale Boulevard.

3. Does circulation within the project prevent the safe and orderly flow of people and vehicles, including emergency vehicles?

☐ ☐ ☐ ☒

The project will increase the safety of vehicular traffic at the intersection of Palmdale Boulevard and 70th Street East.

4. Will the project create or experience access problems as designed, or create any obstruction to the safe flow of traffic?

☐ ☐ ☒ ☐

The project will not obstruct the safe flow of traffic but will increase safety for motorists and pedestrians.

5. Could the project result in a significant alteration to rail or air traffic?

☐ ☐ ☐ ☒

The project will have no significant effect on rail or air traffic.

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6. Will the project create a significant shortage of parking?

☐ ☐ ☐ ☒

The project will have no impact on parking.

I. Public Services:

1. Fire Protection

What is the roadway distance and location of the nearest fire station: N/A

a. Will the project result in a need for significant additional fire protection services?

☐ ☐ ☒ ☐

As the project consists of right-of-way acquisition and construction, the proposed project will not result in the need for any significant additional protection services.

2. Police Protection

Are there any aspects of the project that would create a significant impact to police protection?

☐ ☐ ☒ ☐

The project is within the existing boundaries of the City in which contract services are obtained from the Los Angeles County Sheriff's Department. The City reviews this contract from time to time and increases services if needed. However, no additional impacts are anticipated as a result of this project. Therefore, this does not constitute the potential for a significant impact to police protection services.

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3. Schools

- a. In what elementary and high school attendance area is the project? Palmdale School District and Antelope Valley Union High School District
- b. Approximately how many students will the project generate?
N/A
- c. Would the students generated by the project significantly contribute to the affected schools exceeding their designed capacity?

☐
☐
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The project, the acquisition and construction of right-of-way improvements, will not generate any students. The project will improve the safety of students traveling to and from Pete Knight High School, located on 70th Street East south of Palmdale Boulevard.

4. Parks and Recreation

Will the proposed project result in an impact on the quality or quantity of existing parks or recreational facilities, including trails or bicycle paths?

☐
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The project consists of right-of-way acquisition and construction and will have no impact on parks and recreation.

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5. Public Facilities

Will the proposed project have a significant impact on maintenance of public facilities, including roads, drainage facilities, slopes, open space and trails?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

The improvements proposed under the project will be constructed by the City on behalf of both the City and the County of Los Angeles. Maintenance of the intersection will continue to be shared between the two agencies. However, the improvements proposed would not result in significant ongoing maintenance efforts and therefore, impacts to both agencies will be less than significant.

6. Library Services

Will the project result in a significant impact to library services due to increased population?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Right-of-way acquisition and construction will have no impact on library services.

7. Other Governmental Services

Will the project have a significant impact on a government service or agency not listed above?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Right-of-way acquisition and construction will have no impact on a government service or agency not listed above.

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J. Energy:

1. Will the project result in the use of substantial amounts of fuel or energy?

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☒
☐

2. Will the project result in a substantial increase in demands upon existing sources of energy, or require the development of new sources of energy?

☐
☐
☒
☐

The right-of-way improvements will consume minimal quantities of energy resources and will not require the development of new sources of energy. Therefore, there is no potential for a significant impact on the environment due to project impacts on energy resources.

K. Utilities:

Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

1. Power or natural gas?

☐
☐
☒
☐

2. Communications systems?

☐
☐
☐
☒

3. Water?

☐
☐
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☐

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4. Sanitary sewer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project will require the extension of power to operate the traffic signals. Minimal water will be utilized during the construction of the right-of-way improvements and minimal solid waste will be generated during construction. The amount of utilities required to construct and operate the right-of-way improvements is not considered significant.

L. Human Health:

Based on the type of project:

1. Will the project create any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the project result in the exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The construction of right-of-way improvements and the installation of traffic signals at the intersection of 70th Street East and Palmdale Boulevard will increase safety at this existing intersection. Currently the intersection is controlled by Stop signs on 70th Street East. The construction of Pete Knight High School on 70th Street East between Palmdale Boulevard and Avenue S has resulted in a significant increase in traffic at this intersection during several short periods each day. The signalization of the intersection will decrease wait times

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for those vehicles on 70th Street East and eliminate vehicles making unsafe turning movements. Therefore, the project will result in improved human health and there will be no significant adverse impact.

M. Cultural Resources:

1. Will the proposal result in the alteration or destruction of a prehistoric or historic archaeological site, or historic structure(s)?

☐ ☐ ☒ ☐

Site inspection performed by: Richard Norwood

2. Will the proposal result in potential adverse impacts on paleontological resources?

☐ ☐ ☒ ☐

According to the General Plan Exhibits ER-7 and ER-8, the subject site is located in an area of moderately high probability of archaeological resources and undetermined significance for paleontological resources. The intersection of 70th Street East and Palmdale Boulevard is located within an area reviewed within the Eastside General Plan Preliminary Cultural Resources Study, prepared by Pyramid Archaeology in 1989. Based on site inspections, there are no historic structures on the sites. In the event of an unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation is required to cease in the immediate area, and the find left untouched until a qualified professional archeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate the find and make recommendation as to disposition, mitigation and/or salvage. Therefore, construction of this project does not present the potential for adverse impacts on paleontological and archaeological resources.

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N. Public Controversy:

1. Is the project or action environmentally controversial in nature or can it reasonably be expected to become controversial upon disclosure to the public?

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☐

There are no aspects of the proposed project that are anticipated to be environmentally controversial upon disclosure to the public. Therefore, this does not constitute the potential for a significant adverse impact.

VII. **MANDATORY FINDINGS OF SIGNIFICANCE**

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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The project site is located in immediately adjacent to two existing arterial roadways, 70th Street East and Palmdale Boulevard and has been significantly degraded due to its location. The acquisition of road easements and construction of traffic signals and associated right-of-way improvements does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There is no aspect of the project that would eliminate important examples of the major period of California history or prehistory.

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Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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- B. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

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The acquisition of 35,832 square feet of road easements, temporary construction easements of 2,000 square feet, and the construction of traffic signals and associated right-of-way improvements does not have impacts that are individually limited, but cumulatively considerable. The land to be acquired is significantly degraded due to its location adjacent to arterial roadways and the project will have a positive impact on both traffic circulation and safety.

- C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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The construction of the right-of-way improvements may have temporary effects, such as noise and dust, but will not cause a substantial adverse effect due to the limited quantity of construction proposed and the limited of period of time in which construction would occur. The construction of the improvements will have a positive impact on the community by providing increased safety at this intersection and reducing wait times at the intersection, resulting in improved air quality within the vicinity.